

Appl. No. 10/751,725
Atty. Docket No. 8222D
Amdt. dated 12/02/2005
Reply to Office Action of 06/02/2005
Customer No. 27752

4

BEST AVAILABLE COPY**REMARKS****Formal Matters**

Claim 1 amended to delete the amendment previously proposed in the Applicants' Response filed May 2, 2005 by removing the phrase "one ply" in view of comments made in the pending Office Action viewing said amendment as not effective to overcome the cited art.

Claim 1 has been amended to include a new limitation specifying that the bicomponent fibers of claimed invention are present throughout the entire thickness of the claimed web by providing that said fibers are present in the top and bottom surfaces as well as in the center region. Antecedent basis for the amendment can be found in the specification at page 3, line 29 – page 4, line 2, page 5, lines 5 and 10, and page 14, lines 7-11 (including Figures 1 and 2).

Rejection Under 35 USC 102

Claims 1 and 3 (dependent on Claim 1) have been rejected under 35 USC 102(b) as being anticipated by MAYS (WP 017 807 A2) further evidenced by MAGNUSSON (WO 99/00098).

The Office Action of June 2, 2005 stated that Applicants' previous amendment to Claim 1 (providing the web is a "single ply") did not distinguish the claim over MAYS because it was viewed that the claims did not "preclude the inclusion of the base fibers of the MAYS reference...".

Claim 1 has now been amended to remove the previous limitation of "one ply" as unnecessary and to include a limitation to expressly provide that the eccentric bicomponent fibers of the present invention are present at the top and bottom surfaces and also in the center region of the web. MAYS discloses conjugate or bicomponent fibers only in the surface layers of the web, with a center layer of "base fibers". MAYS provides the following examples of fibers suitable as base fibers: "Examples of such fibers are polyester,, nylon, cotton or other natural or synthetic fibers" (page 4, lines 12 – 13). MAYS does not disclose bicomponent fibers for use as base fibers.

Applicants submit that the amended claims are novel over MAYS with or without MAGNUSSON.

Rejection Under 35 USC 103

Claims 1 and 3 were rejected under 35 USC 103(a) as being unpatentable over TERADA (US Patent 5,693,420) in view of MAYS.

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5

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TERADA discloses webs that can include bicomponent fibers wherein it is apparent that the fibers are fused throughout the entire thickness of the web. MAYS discloses bicomponent fibers only at the surfaces of a web, wherein the center of the web constitutes "base fibers". There is disclosure to include bicomponent fibers in the base layer. There is no teaching or suggestion in either reference to include bicomponent fibers throughout the entire thickness of the web, and then thermally bond the fibers only at the surface or otherwise include a thermal bonding gradient that is greater at the surface than in the center region. The present invention avoids the complexity of multiple layers of different fiber materials of MAYS, while maximizing oil absorbency, by limiting the level of thermal fusing of the bicomponent fibers as compared with TERADA.

Rejection Under 35 USC 103

Claims 10-13 have been rejected under 35 USC 103(a) as being unpatentable over MAYS in further view of BRASSINGTON (WO 93/22486).

Applicants respectfully maintain that Claims 10-13 are unobvious over the cited art for the same reasons discussed above with respect to the novelty and obviousness rejections of Claims 1-3. Further, there is nothing in BRASSINGTON that would suggest to one of ordinary skill in the art to modify the web of MAYS by including eccentric bicomponent fibers throughout the entire thickness of the web and then thermal fusing them (i) at the surface of the web, only, or (ii) if thermally fusing extends throughout the thickness of the web, a gradient exists such that a lesser amount of thermal fusing exists in center portion of the web that at the outer thermally fused portion(s).

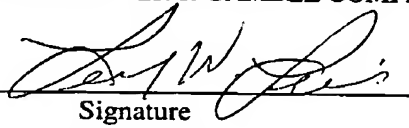
Conclusion

In light of the above amendments and remarks, it is requested that the Examiner reconsider and withdraw the rejections under 35 USC 102 and 103. Favorable action in the case is respectfully requested.

Respectfully Submitted,

THE PROCTER & GAMBLE COMPANY

By


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December 2, 2005
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